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Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Report of the Secretary-General

Summary

Twelve States submitted reports pursuant to paragraph 10 of General Assembly resolution 71/145 by the established deadline (see section II of the present report).

Six views were received from States pursuant to paragraph 12 of General Assembly resolution 71/145 (see section III).

Five additional States became participants to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives (see section IV) since the previous report (A/71/130) on the topic.

* A/73/50.

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I. Introduction

1. On 13 December 2016, the General Assembly adopted resolution 71/145, entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". Paragraphs 10, 12 and 13 of the resolution read as follows:

> "*The General Assembly*,
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> ...
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> "10. *Urges*:
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> (*a*) All States to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;
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> (*b*) The State in which the violation took place — and, to the extent possible, the State where the alleged offender is present — to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by the Secretary-General, on measures taken to bring the offender to justice and to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and to report on measures adopted with a view to preventing a repetition of such violations;
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> ...
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> "12. *Also requests* the Secretary-General to invite States, in the circular note referred to in paragraph 11 (*a*) above, to inform him of their views with respect to any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations;
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> "13. *Further requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report containing:
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> (*a*) Information on the state of ratification of and accessions to the instruments referred to in paragraph 8 above;
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> (*b*) A summary of the reports received and views expressed pursuant to paragraphs 10 and 12 above."

2. By notes dated 16 January 2017 and 9 March 2018, the Secretary-General drew the attention of States to the request contained in paragraphs 10 (*a*) and 12 of resolution 71/145 and invited them to report to the Secretary-General any serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations, and to inform the Secretary-General of their views with respect to any measures needed or already taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations.

3. The present report has been prepared pursuant to paragraph 13 of resolution 71/145.

4. Section II of the report contains a summary of the reports received and the text of those reports relevant to paragraph 10 of the resolution, in chronological order of receipt.

5. Section III of the report contains the views expressed pursuant to paragraph 12 of the resolution, also in chronological order of receipt.

6. Section IV of the report contains information on the status of participation of States, as at 18 June 2018, in the Vienna Convention on Diplomatic Relations of 1961,[1] the Vienna Convention on Consular Relations of 1963,[2] and the respective optional protocols thereto, as well as the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.[3]

II. Reports received from States pursuant to paragraph 10 of General Assembly resolution 71/145

7. The **Islamic Republic of Iran** (21 September 2016) submitted the following information on incidents pertaining to the premises of the Consulate General and Embassy of Saudi Arabia in Mashhad and Tehran:[4]

> As previously reported on 4 January 2016, following the release of news on the execution of the prominent religious leader Ayatollah Sheikh Bagher Nimr Al-Nimr by the Saudi authorities, there was an emotional outburst by many who found this action inhumane and unjustifiable in front of the consular and diplomatic premises of the Kingdom of Saudi Arabia in Mashhad and Tehran. The security sectors in Iran demonstrated due diligence to prevent the incident and have taken the necessary practical measures. To that effect, the number of security and law enforcement forces were increased substantially, and different organs, including the diplomatic police, were engaged in controlling the situation. The sudden spontaneous and uncontrollable reactions by the crowd, however, caused some damage to the buildings of the Saudi diplomatic premises, despite extensive efforts. Fortunately, no harm was done to the personnel and staff of the diplomatic and consular premises.
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> Following the incidents, necessary arrangements were made to facilitate the act of leaving the country by all the Saudi diplomatic personnel, pursuant to article 44 of the 1961 Vienna Convention on Diplomatic Relations. At the same time, consistent with the obligations of the receiving State in case of severance of diplomatic relations between the two States under article 45 (a) of the Convention, the Islamic Republic of Iran made necessary attempts to ensure protection of, and respect for, the Saudi diplomatic and consular premises, property and archives. Hence, Saudi agents were provided facilities to take care of the archives and documents left at the diplomatic and consular premises.
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> In this context, necessary arrangements were also put in place to advance the prosecution of those persons involved in inflicting damage to the Saudi premises in Mashhad and Tehran. The Ministry of Interior and the Judiciary opened a thorough investigation into the incidents. More specifically, immediately following the incident, 121 individuals suspected of being involved in the incident, and thus disrupting the public order and causing damage to the Saudi premises, were arrested, and a further 24 individuals were summoned to

[1] United Nations, *Treaty Series*, vol. 500, No. 7310.
[2] Ibid., vol. 596, No. 8638.
[3] Ibid., vol. 1035, No. 15410.
[4] Submitted pursuant to paragraph 10 of General Assembly resolution 69/121.

finalize the investigations. Indictments were also issued for 48 individuals, and the trials are currently under way.

A formal request has also been sent to the Saudi Government to grant access to the Iranian Judiciary to carry out an on-site visit to the premises to further complete the investigation process. The Islamic Republic of Iran reiterates its readiness to facilitate the presence of a Saudi mission to assess the damage incurred as the result of the incident.

Reiterating its obligations in accordance with international law and relevant international instruments, especially the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963, the Islamic Republic of Iran is determined to take all efforts needed to hold those responsible for the incident accountable.

8. **Ukraine** (21 December 2016) reported a number of incidents concerning its diplomatic and consular missions and representatives in the Pussian Federation:

On 26 February 2014, unauthorized picketing by group of up to 10 people firing flares attacked the guest house of the Embassy of Ukraine to the Russian Federation (accommodation of the staff). One attacker was detained by the external security of the Embassy.

On 17 March 2014, there was an attack on the Embassy of Ukraine to the Russian Federation. Three fired flares, and leaflets of the "Another Russia" party were thrown into the territory of the Embassy. Five attackers were detained by the external security of the Embassy.

On 12 June 2015, there was unauthorized picketing of the Embassy of Ukraine to the Russian Federation by a group of up to 120 people throwing eggs into the fence and territory of the Embassy. No reaction was received from the law enforcement agencies.

On 13 June 2015, at 1 a.m., about 50 people attacked the Consulate General of Ukraine in Rostov-on-Don, Russian Federation, causing serious damage to the facade and backyard of the diplomatic mission. Attackers disturbed the identification plate and information board, damaged computers and office equipment, threw garbage, bottles of brilliant green and eggs into the building, and 17 of 25 windows of the Consulate were broken. The morning after, a rally against the Ukrainian authorities took place near the damaged Consulate General of Ukraine in Rostov-on-Don.

On 6 March 2016, there was unauthorized picketing of the Embassy of Ukraine to the Russian Federation by a group of up to 120 people throwing eggs into the fence and territory of the Embassy. No reaction was received from the law enforcement agencies.

On 8 March 2016, unknown persons threw firebombs at the Consulate General of Ukraine in St. Petersburg building, creating a threat of arson. Leaflets of the "Another Russia" party with threats against the institution and its staff were thrown into the territory of the Consulate General.

On 13 March 2016, three drunken persons were detained by the external security of the Embassy of Ukraine to the Russian Federation after a can of beer was thrown into the territory of the Embassy.

On 17 March 2016, Consul General of Ukraine in Rostov-on-Don, Mr. Kovtun, was attacked in Grozny (Chechnya) upon arrival at the local court.

On 5 May 2016, during a rally (around 50 people participated) against the Consulate General of Ukraine in St. Petersburg, organizers shouted through

loudspeakers threats to the life and health of workers of the Consulate. Following these threats, a member of the organization "Veterans of novorossia" attempted to attack Consul O. Kopyl. This attack was stopped by the timely intervention of a policeman on duty near the building of the Consulate. In addition, eggs and paint were thrown on the territory and into the building of the Consulate.

On 11 June 2016, unauthorized picketing by a group of up to 50 people firing flares attacked the Embassy of Ukraine to the Russian Federation by throwing eggs and tomatoes into the fence of the Embassy. No reaction was received from the law enforcement agencies.

On 15 August 2016, under the guise of a false pretext, Russian public service workers blocked the work of the Consulate General of Ukraine in Rostov-on-Don.

On 27 August 2016, a group of radicals of up to 50 people firing flares committed an attack on the Embassy of Ukraine to the Russian Federation, throwing eggs and tomatoes into the fence of the Embassy.

On 19 September 2016, a group of unidentified persons threw paint into the building of the Consulate General of Ukraine in St. Petersburg. As a result of such actions, its façade was damaged. There was also an attempt to commit an act of vandalism against the national symbol of Ukraine, the State flag.

On 22 November 2016, a group of young radicals attacked the premises of the Cultural Centre of Ukraine in Moscow and committed a desecration of State symbols of Ukraine, the national flag.

The inaction of the law enforcement bodies of the Russian Federation during these illegal actions indicates their planned and apparently sanctioned provocative nature.

9. **Turkey** (13 March 2017) reported that the following incidents occurred in the Netherlands:

I.

On 11 March 2017, at 7 p.m. local time, H.E. Ms. Fatma Betül Sayan Kaya, Minister of Family and Social Policies of the Republic of Turkey, was barred by the Dutch law enforcement authorities from accessing the Consulate General of the Republic of Turkey in Rotterdam, where the Minister was scheduled to meet with Turkish citizens in the Netherlands as well as with the Consul General. The passports of the Minister and of the other members of the delegation were confiscated by the Dutch police.

On the same day, the Dutch police, resorting to disproportionate use of force, intervened in the vehicle belonging to the Embassy of Turkey in The Hague carrying the Minister. The Minister, holder of a diplomatic passport, was forcibly led by the Dutch police to a police station in the town of Nijmegen, near the border between the Netherlands and Germany, where she was been detained in the police station for approximately 90 minutes, after which she was forcibly driven to the German border by the Dutch police. Throughout her journey, the Minister was prevented from contacting any Turkish diplomatic or consular representative.

II.

The Consul General of Turkey in Rotterdam as well as other personnel of the Consulate have been barred from exiting the premises of the Consulate to greet the Minister.

These actions are in contravention of diplomatic courtesy, as well as the fundamental principles of international customary law, and constitute a violation of articles 5 and 36 of the Vienna Convention on Consular Relations relating to the facilitation of the exercise of consular functions.

III.

The Chargé d' affaires a.i. of the Embassy of Turkey in The Hague, the Consul General of Turkey in Deventer and two administrative and technical officers were subjected to forced body searches and brought to a police station in Rotterdam by the Dutch police.

Despite the intervention of the Ministry of Foreign Affairs of the Republic of Turkey, the Chargé d'affaires was detained in an individual cell for approximately one hour, the Consul General in Deventer for 40 minutes and the administrative and technical officers for two hours, during which all their belongings were confiscated. These detentions in individual cells as well as the restrictions of freedom of movement represent flagrant violations of articles 22, 26, 29 and 37 of the Vienna Convention on Diplomatic Relations and articles 5, 34, 36, 40, 41 and 43 of the Vienna Convention on Consular Relations.

10. **Qatar** (16 March 2018) reported that the following incident occurred in Somalia:

On Saturday, 14 October 2017, at 3:20 p.m. local time, an immense explosion shook the Somali capital, Mogadishu. The bombing was the most violent and the gravest such attack since 2007, and was executed with a truck loaded with explosives near the entrance of the Safari Hotel in the Hodan District, which is a vital part of the capital Mogadishu. The bombing produced a black cloud, which could be seen throughout the city. It devastated the entire area and caused massive material damages, resulting in the destruction of buildings and burning of vehicles. It devastated the Safari Hotel, at Zope intersection, causing it to completely collapse. This was in addition to the massive damages to the area surrounding the explosion.

As a result of this bombing, the Embassy of the State of Qatar in Mogadishu, which is located one kilometre from the site of the bombing, sustained massive material damages, as most of the windows of the Embassy building were smashed and some walls demolished. The Chargé d'affaires suffered minor injuries, while two children of an employee of his were killed at the site of the bombing. In addition, the office of the Al-Jazeera network suffered great damage.

No party has declared responsibility for the bombing, but the federal Government blamed the Harakat al-Shabaab al-Mujahideen for it. Later, the Minister of Interior Security announced that five individuals had been arrested for being involved in the terrorist bombing in Mogadishu on 14 October 2017.

11. **Germany** (11 April 2018) reported that the following incidents occurred in Afghanistan and Liberia:

1. Attack on the German Consulate General in Mazar-e-Sharif, Afghanistan

In the night, from 10 to 11 November 2016, there was a complex attack against the German Consulate General in Mazar-e-Sharif. Following an explosion at the perimeter wall, armed perpetrators stormed into the Consulate General, engaged in an exchange of fire with its security officers and attempted to cause the greatest possible harm to those present. After about one hour, the NATO forces alerted by the Consulate General intervened and evacuated the

consular staff to Camp Marmal over the course of the night. The premises used by the German Consulate General were destroyed to such an extent during the attack that the property had to be abandoned.

Despite several warnings, the receiving State failed to adequately protect the local consular post commensurate with the threat level and in accordance with article 31 of the Vienna Convention on Consular Relations of 24 April 1963. Furthermore, in the wake of the attack, the receiving State failed to prevent the compound from being looted, while the police stood by, and the subsequent sale of the staff's private property. The Federal Republic of Germany knows of the conviction of one perpetrator following the investigation instigated by the receiving State. As far as it knows, the perpetrator has the right to appeal.

2. Attack on the German Embassy in Kabul, Afghanistan

Shortly before 8.30 a.m. on 31 May 2017, there was a car bomb attack directly in front of the German Embassy in Kabul. None of the Embassy staff were killed. However, two Afghan staff members belonging to its security company as well as six Afghan police officers deployed to protect the Embassy died. The Embassy compound was largely destroyed in the attack and the reconstruction will be expensive and time-consuming. Staff members of the neighbouring embassies of other States were killed or injured, and embassy buildings were damaged. All in all, more than 160 people lost their lives.

Despite various warnings, the receiving State failed to effectively carry out security measures at the Ring of Steel checkpoints and thus to provide adequate protection commensurate with the threat level of the diplomatic missions in the Green Zone in accordance with article 22 of the Vienna Convention on Diplomatic Relations of 18 April 1961. The Federal Republic of Germany has not been informed of the outcome of the investigation instigated by the receiving State after the attack.

3. Attack on the official vehicle of the Deputy Head of Mission at the German Embassy in Monrovia, Liberia

At around 10:10 p.m. on 14 January 2018, an official vehicle belonging to the German Embassy in Monrovia, which was conveying the Deputy Head of Mission, was initially followed and then rammed from the side by a police vehicle, on the return journey from Robertsfield International Airport. The Embassy vehicle was damaged. After the police vehicle failed to stop, the Embassy vehicle was able to catch up with it, and the driver was subsequently confronted. It materialized that the driver was an armed police officer who was evidently conveying a private passenger in the official car. After the Liberian authorities had been informed of the incident, the Embassy received an apology and an assurance that it would be investigated.

By wilfully ramming the mission vehicle and risking injury to the Deputy Head of Mission, the police officer violated the immunity of the mission's vehicles guaranteed by article 22 (3) of the Vienna Convention on Diplomatic Relations as well as the principle of the inviolability of diplomats (article 29 of the Vienna Convention). The Federal Republic of Germany has not been informed of the outcome of the investigation instigated by the receiving State after the attack.

12. **Finland** (9 May 2018) submitted information concerning an incident on its own territory:

On 19 October 2017, two men trespassed on the fenced area of the Embassy of the Republic of Iraq in Helsinki with the intention to burn the

national flag of Iraq. The men managed to cut off the flag from the pole and escape. The men were subsequently seized and later sentenced to conditional imprisonment for grave breach of public peace. The Finnish authorities strengthened security procedures around the Embassy for some time.

13. **The Netherlands** (11 May 2018) submitted information concerning the incidents reported by Turkey on 13 March 2017:

The report of the Republic of Turkey concerns events surrounding the presence of the Turkish Minister of Family and Social Policy, Ms. Fatma Betül Sayan Kaya, on the territory of the Kingdom of the Netherlands on the evening of 11 March and the morning of 12 March 2017.

I.

After receiving information that Ms. Kaya intended to visit Rotterdam to meet with Dutch-Turkish citizens, the Kingdom of the Netherlands, in the exercise of its sovereign right to decide which persons are allowed to enter its territory for the exercise of official functions, informed the Government of the Turkish Republic that it would not permit any visits by Turkish ministers from that moment. Despite having informed the Turkish Republic accordingly, Ms. Kaya entered the territory of the Netherlands unannounced and covertly and proceeded towards the Turkish Consulate General in the city of Rotterdam, where she intended to deliver a public address. The Netherlands would also like to emphasize that Ms. Kaya entered the territory of the Kingdom of the Netherlands in her official capacity, and not as a private person.

The Netherlands wishes to point out, first, that Ms. Kaya enjoyed no privileges or immunities on the territory of the Netherlands under international law. She was not a member of the Turkish diplomatic or consular missions accredited to the Kingdom of the Netherlands and, second, that due to the lack of an official invitation of the Government of the Kingdom of the Netherlands, nor was she a member of a special mission under international law.

With regard to the complaint that Ms. Kaya was prevented from contacting any Turkish diplomatic or consular representative, the Netherlands wishes to draw the Secretary-General's attention to the following. General Assembly resolution 71/145 does not cover matters concerning receiving consular or diplomatic services, but only the protection of consular and diplomatic representatives. However, even if such matters would fall within its scope, Ms. Kaya was travelling in the car of the Turkish Chargé d'affaires to The Hague. Contact between her and this member of the Turkish diplomatic staff was thereby established.

In addition, the Netherlands would like to note that the Dutch police at all times intervened in accordance with the law, and hence in a proportionate manner, including in its treatment of all persons referred to in said report.

The part of the Turkish report under General Assembly resolution 71/145 insofar as it concerns Ms. Kaya, is therefore inapplicable, as her situation does not fall within the scope of the regime concerning diplomatic and consular missions and representatives.

II.

With regard to the part of the report of the Turkish Republic concerning the alleged prevention of the exercise of consular functions by the Consul General of the Republic of Turkey in Rotterdam, the Kingdom of the Netherlands wishes to point out that matters concerning the exercise of consular functions also do not fall within the scope of General Assembly resolution

71/145. This resolution concerns the protection, security and safety of consular missions, not their functioning. In addition, it has not been established that the Turkish Consulate General was at any time forced to deny a request for consular services as defined in article 5 of the Vienna Convention on Consular Relations. At no point was the Consul General prevented from leaving the premises.

III.

With regard to the part of the report of the Turkish Republic concerning the Turkish Chargé d'affaires a.i. at The Hague, the Turkish Consul General in Deventer and the two members of the technical and administrative staff, the Kingdom of the Netherlands would kindly draw the Secretary-General's attention to the following. Just before midnight, on orders from the Public Prosecutor, the members of the minister's entourage were arrested on suspicion of violating the Firearms, Ammunition and Offensive Weapons Act and were searched for firearms in order to secure the situation. No firearms were found. This group of 14 persons was then brought to the headquarters of the Rotterdam police. There it emerged that the Turkish Chargé d'affaires a.i. and the Turkish Consul General from Deventer were part of the group. As soon as this became clear, they were both released. The Kingdom of the Netherlands furthermore notes that both individuals were under a duty to comply with their respective obligations under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, in particular their obligation to respect the laws and regulations of the receiving State. At the location where both individuals were present, an emergency ordinance was in force at that moment.

The two members of the technical and administrative staff of the mission referred to in the report of the Turkish Republic are permanent residents of the Kingdom of the Netherlands and as such enjoy no inviolability or immunity under international law. Nonetheless, the Kingdom of the Netherlands would like to note that they were released shortly after they were taken to police headquarters.

The Kingdom of the Netherlands respectfully informs the Secretary-General that it considers that it has complied with its obligations under international law and has taken all measures that could have been reasonably expected to prevent a violation of its obligations under the two Vienna Conventions on 11 and 12 March 2017. For example, it had issued to all enforcement personnel present in the vicinity of the Turkish Consulate General in Rotterdam detailed lists with the names and functions of all members of the Turkish diplomatic and consular missions. In the light of the facts as stated above, the Netherlands considers that no further measures are required to prevent future violations of its obligations under the two Vienna Conventions. The Kingdom of the Netherlands furthermore reiterates that it takes its obligations under the Vienna Conventions very seriously.

14. The **Russian Federation** (17 May 2018) reported that the following incidents occurred in the United States of America:

1. The Russian Federation deems it necessary to draw the attention of the international community to the following deeply disturbing acts of the Government of the United States of America that are incompatible with its international commitments under the Charter of the United Nations and universally recognized norms of international diplomatic and consular law, and that call into question the declared commitment of the U.S. to the principles of justice and the rule of law.

2. The U.S. Government, referring to its sovereign prerogatives and national law (Foreign Missions Act of 1982 and the "determinations" of the U.S. Secretary of State adopted on its basis), from December 2016 to April 2018 took a range of provocative, hostile and coercive measures, unprecedented in their scope and cynicism, against a number of Russian official missions, their property, as well as the missions' staff and their family members. The measures sought to expel Russian official missions, the missions' staff and their family members from the premises they occupied on lawful grounds; to cause damage to the sovereign dignity of the Russian Federation and moral damage to the staff of its official missions; to disrupt the normal functioning of the diplomatic missions and consular establishments of the Russian Federation in the U.S.; and to deny the Russian Federation access to the property it used for sovereign purposes.

3. In this context, it is especially remarkable that the aforementioned repressive measures were aimed at the facilities used by the official missions of the Russian Federation to fulfil their functions not only as part of bilateral relations with the U.S. but also with the United Nations (see para. 4.2 below), which is incompatible with the functions of the United States as a receiving State of the headquarters of this international organization.

4. The official missions of the Russian Federation and their premises, raided and seized by the U.S. authorities, are listed below.

4.1. *Embassy of the Russian Federation*. Part of the Embassy's premises (115 Town Point Lane, Centreville, MD) used for official purposes, protocol events and as a residence of the Embassy's personnel.

4.2. *Permanent Mission of the Russian Federation to the United Nations in New York*. Part of the Permanent Mission's premises (136 Mill River Road, Upper Brookville, NY) used for official purposes, protocol events and as a residence of the Permanent Mission's personnel. The U.S. Department of State informed the Russian Embassy through the notes of 29 December 2016, Nos. 16-2027 and 16-2057 respectively, about the withdrawal of the consent to use the aforementioned facilities for diplomatic purposes; the lifting of all their privileges and immunities; and the denial of access to the aforementioned premises for "any persons, including Russian representatives" with effect from 30 December 2016.

4.3. *Consulate General of the Russian Federation in San Francisco*. Administrative and residential building (2790 Green Street, San Francisco, CA) and *residence of the Consul General of the Russian Federation* (2820 Broadway, San Francisco, CA). The U.S. Department of State announced through a note of 31 August 2017 (No. 17-1287) the withdrawal of the consent for the opening and functioning of the Russian Consulate General in San Francisco; the lifting of all its immunities with effect from 2 September 2017; demanded to cease, with effect from the same date, all activities of the Consulate General; announced the denial of access to the staff area of the administrative and residential building of the Consulate General for "any persons, including Russian representatives" and the ban on keeping the archives of the diplomatic missions or consular establishments of the Russian Federation in the said premises. With effect from 1 October 2017, access was also denied to the other premises of the Consulate General, i.e. the residential section of the administrative building and the residence of the Consul General, all immunities of which were lifted from that same date.

4.4. *Trade Representation of the Russian Federation in Washington, D.C. Administrative building* (2001 Connecticut Avenue, NW, Washington, D.C.).

Pursuant to the terms of the Agreement on Trade Relations between the United States of America and the Union of Soviet Socialist Republics of 1 June 1990, regulating U.S.-Russia relations, the Trade Representation forms part of the Embassy of the Russian Federation in Washington, D.C. Its staff and their family members enjoy the status similar to that granted to the equivalent categories of the Embassy's personnel (diplomatic, administrative and technical, and support personnel).

4.5. *Office of the Trade Representation of the Russian Federation. Office premises* (353 Lexington Avenue, Suite 1500, New York, NY). The official missions of the Russian Federation, their premises and staff members referred to in paragraphs 4.4 and 4.5, in accordance with the note of the U.S. Department of State (No. 17-1287), were subject to coercive measures and bans similar to those imposed on the Consulate General of the Russian Federation in San Francisco (see para. 4.3 above), including deadlines.

4.6. *Consulate General of the Russian Federation in Seattle. Office premises* (600 University Street, 2510, Seattle, Washington) and *residence of the Consul General* (3726 East Madison Street, Seattle, Washington). In its note of 26 March 2018 (No. 18-439), the U.S. Department of State, in particular, declared the following: the withdrawal of consent to the opening and functioning of the Consulate General, as well as of permission to use the relevant premises for diplomatic/consular purposes, and the lifting of all of their immunities starting at midnight on 1 April 2018 with respect to the premises on University Street and at midnight on 24 April 2018 with respect to the premises on East Madison Street; and a ban on keeping archives of diplomatic missions or consular establishments of the Russian Federation in these premises.

5. The introduction of the above-mentioned restrictive measures, despite protests by the Russian side, was accompanied by forced entry of representatives of the U.S. authorities into the relevant premises (with breaking of locks and disabling of entry gates), conducting searches therein (under the guise of so-called "examinations" or "inspections") as well as engineering works not agreed with by the Russian Federation, as a result of which the premises and their furnishings were damaged.

6. The Russian Federation emphasizes that it has legally (under contracts of purchase and sale) the right of ownership of the facilities specified above in paragraphs 4.1, 4.2, 4.3, 4.4 and 4.6 (the building of the residence of the Consul General). In respect of the facilities specified in paragraphs 4.5 and 4.6 (premises in University Street), it exercised the rights of the tenant on the basis of a private legal contract. In respect of the ancillary land plot at the address specified in paragraph 4.6, the right of use is for a period of 99 years (until 2075).

7. However, despite protests by the Russian Federation and its regular (every two weeks) requests via diplomatic channels to let Russian representatives examine the above-mentioned premises (including with the aim of preventing the failure of operating systems and holding one-off protocol events), the U.S. Department of State has systematically refused to provide such access to all of the above-mentioned facilities.

8. Thus, contrary to the notes of the U.S. Department of State that provide for authorization procedures for visits by Russian representatives, the Russian Federation has been completely and for a long time deprived of any possibility of control over these facilities, access to them and the exercise of the powers of the owner (user) in respect of them. At the same time, representatives of the U.S. authorities regularly gain access to the premises mentioned, without consent or

notification of the Russian Federation. Taking into account the above, it can be stated that the mentioned premises have been seized by the U.S. authorities.

9. Despite protests by the Russian Federation, State flags of the Russian Federation have been removed from all of the above-mentioned premises.

10. There has been a violation of the integrity of the archive of the Consulate General of the Russian Federation containing, among other things, personal data of applicants, U.S. and Russian citizens. Without consent of the Russian Federation, that archive was removed from the premises of the Consulate General by the U.S. authorities, packed into boxes by them and shipped to Washington, D.C., to be handed over to the Embassy by the transport company engaged by the U.S. Department of State.

11. The Russian Federation notes that, despite its systematic protests, the U.S. Government does not take any measures to end its own unlawful conduct and resolve the situation and, in addition to that, declares "full compliance" of its actions with national legislation and international law. Accordingly, none of the persons involved in the planning, organization or implementation has been held accountable by the U.S. authorities.

12. The Russian Federation also expresses the most serious concern over the fact that the repressive infringements described above, incompatible with the purpose and objectives of the Charter of the United Nations, the Vienna Convention on Diplomatic Relations of 18 April 1961, the Vienna Convention on Consular Relations of 24 April 1963, the U.S.-Russian Consular Convention of 1 June 1964 and the United Nations Headquarters Agreement between the U.S. Government and the United Nations of 26 June 1947, are based on legally unsubstantiated claims that the receiving State possesses a sole and absolute right to adopt unilateral measures to halt the activities of foreign diplomatic missions and consular establishments, to lift their diplomatic immunities, to impose bans on access of the sending State to the premises and to expel staff members and their family from there, including private residences, under deliberately unacceptable conditions not ensuring even the guarantees that should be provided to the accrediting State in case of war or breach of diplomatic relations. Thus, the very essence of basic institutes of diplomatic and consular law is diluted and rendered meaningless and the fundamental principle of *ne impediatur legatio* is violated.

13. The Russian Federation strongly protests against such interpretation and application of the above-mentioned international instruments and believes that the consequences of the measures taken by the U.S. authorities, which affect international obligations *erga omnes*, go way beyond the U.S.-Russian bilateral relations and are capable of creating an extremely undesirable precedent and causing serious damage to the sustainability and stability of the entire system of international relations.

14. The Russian Federation is convinced that the above actions of the U.S. authorities require strong condemnation by the United Nations.

15. **Austria** (18 May 2018) reported that the following incidents occurred on its own territory and in Libya:

1. On 22 March 2017, members of the "Identitarian Movement" entered the roof of the Embassy of Turkey in Vienna from a neighbouring building and unrolled a banner. The intruders were reported to the police. Their trial before the regional criminal court is ongoing. Austria made an ex gratia payment to cover the damage caused to the roof.

2. On 21 January 2018, a couple of persons trespassed on the premises of the Consulate General of Turkey in Salzburg, but did not manage to enter the sensitive area of the consulate. The intruders have not yet been identified; investigations are ongoing. An ex gratia payment to cover the damage caused to the entrance area of the consulate is currently being processed.

3. At an unknown date at the beginning of 2017, the official building of the Embassy of Austria in Tripoli was attacked with a heavy weapon. No Embassy staff was affected, since the Austrian Ambassador and his team currently reside in Tunisia. The incident was brought to the attention of the Foreign Ministry of Libya in a meeting on 11 April 2017. To date, no official reaction by the Libyan authorities has been received.

16. **Belgium** (18 May 2018) reported that no relevant incidents concerning its premises abroad had occurred and submitted information on a number of incidents that targeted foreign diplomatic missions on its territory:

Country	*Premises*	*Incidents*	*Date*
Greece	Residence of the Ambassador	Acts of vandalism	26 April 2016
Indonesia	Embassy	Trespassing	10 May 2016
Turkey	Embassy	Acts of vandalism	29 October 2016
Cameroon	Embassy	Trespassing	10 November 2016
Gabon	Embassy	Robbery	11 December 2016
Azerbaijan	Residence of the Ambassador	Robbery	22 December 2016
Denmark	Embassy	Robbery	23 and 25 December 2016
Rwanda	Embassy	Forcible trespassing	5 January 2017
Argentina	Embassy	Robbery	28 March 2017
South Korea	Residence of the Ambassador	Trespassing	2 April 2017
Equatorial Guinea	Embassy	Robbery	9 April 2017
Morocco	Former premises of the Consulate General	Squatting	April 2017
Venezuela	Embassy	Acts of vandalism	15 April and 6 May 2017
Bosnia and Herzegovina	Residence of the Head of Mission to the European Union	Robbery	8 May 2017
Denmark	Residence of the Ambassador	Attempted robbery	29 June and 9 July 2017
Albania	Embassy	Robbery	30 July 2017
Slovenia	Embassy	Robbery	7 August 2017
Poland	Embassy	Attempted trespassing	27 October 2017
Bahrain	Embassy	Attempted trespassing	4 November 2017
Denmark	Permanent Mission to the European Union	Robbery	23 December 2017

Country	*Premises*	*Incidents*	*Date*
Algeria	Residence of the Ambassador	Attempted robbery and threatening phone calls	25 and 30 January 2018
Turkey	Embassy	Acts of vandalism	25 March 2018

Details are given below for each incident and of the steps taken by the Belgian authorities. In 2016, the following incidents were reported:

- *26 April 2016, Greece, Acts of vandalism, Graffiti on the Ambassador's residence*. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be alerted to the situation and security arrangements upgraded.
- *10 May 2016, Indonesia, Trespassing at the Embassy*. Two individuals entered the access control vestibule of the Embassy but fled when they caught sight of the receptionist. A police report was prepared and an investigation initiated. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.
- *29 October 2016, Turkey, Acts of vandalism, Graffiti on the Embassy entrance door*. The police arrived, prepared a report and opened an investigation. The Crisis Centre of FPS (Internal Affairs) was informed so that security arrangements could be upgraded
- *10 November 2016, Cameroon, Embassy trespassing*. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.
- *11 December 2016, Gabon, Robbery at the Embassy*. A police report was prepared and an investigation conducted. The Crisis Centre of FPS (Internal Affairs) and the Coordinating Body for Threat Analysis (OCAM) were informed. Security arrangements were upgraded as a result.
- *22 December 2016, Azerbaijan, Robbery at the Ambassador's residence*. The police arrived, prepared a report and conducted an investigation. The Crisis Centre of FPS (Internal Affairs) was informed so that security arrangements could be upgraded as a result.
- *23 and 25 December 2016, Denmark, Robbery at the Embassy*. The police arrived, prepared a report and conducted an investigation. The Crisis Centre of FPS (Internal Affairs) was informed so that security arrangements could be upgraded as a result.

In 2017, the following incidents were reported:

- *5 January 2017, Rwanda, Forcible trespassing at the Embassy*. The Embassy doors were demolished but no robbery or other act of vandalism was committed. A report was prepared and an investigation initiated. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be alerted and security arrangements upgraded as a result.
- *28 March 2017, Argentina, Robbery at the Embassy*. A report was prepared and an investigation conducted. The Crisis Centre of FPS (Internal Affairs) was informed so that the police patrols could be notified of the incident and security arrangements upgraded as a result.

– *2 April 2017, South Korea, Trespassing at the Ambassador's residence.* The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *9 April 2017, Equatorial Guinea, Robbery at the Embassy.* A report was prepared and an investigation conducted. The Crisis Centre of FPS (Internal Affairs) was informed so that the police patrols could be notified and security arrangements upgraded as a result.

– *April 2017, Morocco, Squatting at the former premises of the Consulate General.* After several interventions, the squatters finally left the premises. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result. In addition, the Crisis Centre of FPS (Foreign Affairs) drew the attention of the Moroccan authorities to the need to also protect their unoccupied premises.

– *15 April and 6 May 2017, Venezuela, Acts of vandalism, Embassy.* Large signs and banners with political messages were attached to the Embassy gates and candles were placed on the sidewalk in front of the Embassy. An evaluation was made by OCAM. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *8 May 2017, Bosnia and Herzegovina, Robbery at the residence of the Head of Mission to the European Union.* A report was prepared and an investigation was conducted. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *29 June and 9 July 2017, Denmark, Attempted robbery at the Ambassador's residence.* A report was prepared and an investigation conducted. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *30 July 2017, Albania, Robbery at the Embassy.* A report was prepared and an investigation conducted. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *7 August 2017, Slovenia, Robbery at the Embassy.* A report was prepared and an investigation conducted. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *27 October 2017, Poland, Attempted trespassing at the consular section.* The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

– *4 November 2017, Bahrain, Attempted trespassing at the Embassy.* When the alarm sounded, the individuals fled without entering the premises. An investigation was initiated and security arrangements have been upgraded as a result.

– *23 December 2017, Denmark, Robbery at the Permanent Mission to the European Union.* The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements upgraded as a result.

Early in 2018, the following incidents were reported:

– *25 and 30 January 2018, Algeria, Attempted robbery at the Ambassador's residence and threatening phone calls to the Ambassador*. An evaluation was made by OCAM, which concluded that this was an ordinary law crime and not terrorism. The Crisis Centre of the (Internal Affairs) was informed so that security arrangements could be upgraded. Patrols and police surveillance were organized.

– *25 March 2018, Turkey, Acts of vandalism*. Demonstrators daubed red paint on the walls and windows of the Embassy. A report was prepared. The Crisis Centre of FPS (Internal Affairs) was informed so that police patrols could be notified of the incident and security arrangements could be upgraded. An offer to reimburse clean-up costs was made to the Embassy of Turkey.

17. The **Islamic Republic of Iran** (31 May 2018) further reported that the following incident occurred in Morocco:

> Based on reports received, an unknown individual, on 19 May 2017, covertly entered the house of a local staff member of the Iranian Embassy in Rabat, which is located inside the residence of the Ambassador of the Islamic Republic of Iran.
>
> Upon the unauthorized entry, the individual committed assault and battery upon two of the daughters of the local staff. One of the two victims of this crime suffered a broken wrist as a result of the attack and the other victim was left unconscious due to a severe blow to the chest sustained during the attack. Both victims also suffered from bruises on their upper arms as well as other parts of their bodies. Subsequently, the assailant then fled the scene.
>
> The Islamic Republic of Iran, emphasizing the provisions of the Vienna Convention on Diplomatic Relations, 1961, in particular its article 45, and the obligations of the Government of the Kingdom of Morocco as the receiving State, expresses its condemnation and concern with regard to the aforementioned incident. Accordingly, the Islamic Republic of Iran has requested the Moroccan authorities to do their utmost to identify, prosecute and put on trial the attacker; to compensate, restitute and redress all the mental, corporal and financial damages inflicted upon the injured persons and their family; and to inform the Government of the Islamic Republic of Iran of such actions taken in this regard.

18. **Ukraine** (4 June 2018) submitted information concerning the incidents reported by the Russian Federation on 30 September 2016 (A/71/130/Add.1). In relation to the incident of 22 February 2014, the following information was submitted:

> The case was registered in the Unified Crime and Offence Registry and proper review was done. On the results of the investigation, no elements of criminal offence in the mentioned facts were established; in this connection, the information was not entered into the Unified Registry of Pretrial Proceedings.

As to the incident of 19 March 2014:

> The case was registered in the Unified Crime and Offence Registry and proper review was done. As a result of the investigation, no elements of criminal offence in the mentioned facts were established, and this information was not entered into the Unified Registry of Pretrial Proceedings.

As to the incident of 13 to 14 April 2014:

The decision was made to close the criminal proceeding in accordance with paragraph 2 of part 1 of article 284 of the Code of Criminal Procedure of Ukraine, due to the absence of the elements of criminal offence.

As to the incident of 14 June 2014:

The fact of acts of hooliganism was registered under No. 24961 in the Unified Crime and Offence Registry of Solomyanskyi District Administration of the Directorate General of the Ministry of Internal Affairs of Ukraine in Kyiv. The decision was made to enter the information on criminal offence under No. 12014100090005108 into the Unified Registry of Pretrial Proceedings dated 14 June 2014 in accordance with part 2 of article 296 of the Criminal Code of Ukraine.

As to the incident of 16 June 2014:

Four criminal proceedings were opened and qualified in accordance with part 2 of article 296 (Hooliganism), part 2 of article 263-1 (Illegal manufacturing, modification or repair of firearms or forgery, illegal removal or altering of markings, or illegal manufacturing of ammunition, explosive devices), part 2 of article 28 (commitment of crime by a group of persons, a group of persons by prior conspiracy, an organized group or a criminal organization), part 1 of article 263 (Unlawful handling of weapons, ammunition or explosives) and part 2 of article 15 (Criminal attempt), and part 2 of article 258 (Terrorist Act) of the Criminal Code of Ukraine.

As to the incident of 22 June 2014:

The case was registered in the Unified Crime and Offence Registry and proper review was done. On the results of the investigation, no elements of criminal offence in the mentioned facts were established; in this connection, the information was not entered into the Unified Registry of Pretrial Proceedings.

As to the incident of 9 July 2014:

The decision was made to close the criminal proceeding in accordance with paragraph 2 of part 1 of article 284 of the Code of Criminal Procedure of Ukraine, due to the absence of the elements of criminal offence.

As to the incident of 22 August 2014:

The fact of unlawful actions was registered under No. 36237 in the Unified Crime and Offence Registry of Solomyanskyi District Administration of the Directorate General of the Ministry of Internal Affairs of Ukraine in Kyiv. The notice hereof was considered in accordance with the requirements of the Law of Ukraine on Citizens' Appeals and the materials were added to the case No. 21418 dated 12 September 2014.

As to the incident of 28 August 2014 in Kharkiv:

The case was registered in the Unified Crime and Offence Registry and proper investigation was done. On the results of the investigation, no elements of criminal offence in the mentioned facts were established; in this connection the information was not entered into the Unified Registry of Pretrial Proceedings.

As to the incident of 28 August 2014 in Kyiv:

> Kyiv Police Department of the Directorate General of the National Police of Ukraine in Kharkiv region conducted pretrial investigation in accordance with part 2 of article 296 of the Code of Criminal Procedure of Ukraine.

As to the incident of 12 June 2015:

> The case was registered in the Unified Crime and Offence Registry and proper investigation was done. On the results of the investigation, no elements of criminal offence in the mentioned facts were established; in this connection, the information was not entered into the Unified Registry of Pretrial Proceedings.

As to the incident of 6 March 2016:

> The fact of acts of hooliganism was registered under No. 16152 in the Unified Crime and Offence Registry of Solomyanskyi District Police Administration of the Directorate General of the National Police of Ukraine in Kyiv. The decision was made to enter the information on criminal offence under No. 12016100090002657 in the Unified Registry of Pretrial Proceedings dated 6 March 2016 in accordance with part 2 of article 296 of the Criminal Code of Ukraine.

As to the incident of 9 March 2016 in L'viv:

> Lychakivsk Police Department of the Directorate General of the National Police of Ukraine in Lviv region conducted a pretrial investigation in accordance with part 2 of article 338 (Outrage against State symbols) of the Criminal Code of Ukraine.

As to the incident of 9 to 10 March 2016:

> The fact of acts of hooliganism was registered under No. 16152 in the Unified Crime and Offence Registry of Solomyanskyi District Police Administration of the Directorate General of the National Police of Ukraine in Kyiv. The decision was made to enter the information on criminal offence under No. 12016100090002813 in the Unified Registry of Pretrial Proceedings dated 10 March 2016 in accordance with part 2 of article 296 of the Criminal Code of Ukraine.

As to the incident of 11 March 2016:

> The case was registered in the Unified Crime and Offence Registry and proper investigation was done. On the results of the investigation, no elements of criminal offence in the mentioned facts were established; in this connection, the information was not entered into the Unified Registry of Pretrial Proceedings.

As to the incident of 16 to 17 September 2016:

> The fact of acts of hooliganism was registered under No. 70917 in the Unified Crime and Offence Registry of Solomyanskyi District Police Administration of the Directorate General of the National Police of Ukraine in Kyiv. The decision was made to enter the information on criminal offence under No. 12016100090010837 in the Unified Registry of Pretrial Proceedings dated 17 September 2016 in accordance with part 2 of article 296 of the Criminal Code of Ukraine.

19. **Morocco** (26 June 2018) submitted information concerning the incidents reported by the Islamic Republic of Iran on 31 May 2018:

A clear contradiction has emerged with regard to the statements made by the sole witness of the alleged attempted robbery, Sara Varamini (daughter of the Iranian individual in question). On the day of the incident, she reported to the police that she was the only person to have seen the perpetrator, who had fled without using force.

This is supported by the fact that no medical certificate has been produced, despite the allegation set out in the report of the Iranian Mission, according to which an unknown individual had entered the residence and had attacked the two daughters of Majid Abedin Varamini. One daughter had suffered hand fractures, while the other had fainted after receiving a blow to the chest.

The police services were aware of the gravity of the case, as a diplomatic residence is protected by the Vienna Convention, and they arrived on the scene with all due speed to conduct the police investigations required in this situation. However, the technical tests were inconclusive (the perpetrator's fingerprints were not found in the database of the General Directorate for National Security), although the police investigation is continuing with great determination.

On another issue, the Moroccan authorities have exercised their sovereignty by allowing the Iranian national Majid Abedin Varamini to remain in the country, mainly for humanitarian reasons, as he has been resident in Morocco since 1998 and is married to a citizen of Morocco with whom he has two daughters. This integration in itself renders null and void the spurious grievances voiced by the Iranian Mission.

The alien Majid Abedin Varamini, who remained in Morocco following the previous breakdown in relations between Rabat and Teheran (from 2009 to 2014) and who has never had reason to complain of any prejudice or be concerned by any security issue, has been granted a residence card on two occasions.

Furthermore, no building or home in the world is secure from criminals, especially in the case of residences situated in wealthy neighbourhoods, and the Iranian Mission has been particularly negligent by failing to install surveillance cameras, in contrast with other diplomatic missions situated in Morocco.

20. The **United States of America** (13 July 2018) submitted the following information concerning the report submitted by the Russian Federation on 17 May 2018:

The United States Mission to the United Nations presents its compliments to the United Nations Office of Legal Affairs and has the honour to respond to the note of 7 June 2018 (No. LA/COD/4). That note refers to a revised "report" of the Permanent Mission of the Russian Federation to the United Nations, purportedly pursuant to General Assembly resolution 71/145.

The title, history, and text of resolution 71/145 make clear that the Russian "report" is unfounded, improper and presents the danger of undermining the critically important purpose of resolution 71/145, entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". This resolution, which was issued in December 2016, has been regularly reissued for more than three decades. It arose out of the events in Iran of November 1979, when students took 66 United States citizens hostage. Most of these individuals were members of the United States diplomatic mission to Iran, and most of them were held hostage, with the encouragement of the Iranian Government, for 444 days, until January 1981. The International Court of Justice ruled in 1980 that the Iranian Government had violated, and was violating, the rights of the United States with respect to

the inviolability of the mission premises and the personal inviolability of accredited individuals. This infamous act was the genesis of what is now resolution 71/145.

Given this history, the United States is particularly supportive of resolution 71/145, in paragraph 2 of which the General Assembly declared that it was alarmed by the new and recurring acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials". In paragraphs 3 and 4, it strongly condemned all such acts of violence, and urged States to take practical steps to protect such individuals and to prevent such acts of violence. In paragraph 10 (a), it urged all States to report serious violations of the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international governmental organizations.

It is unfortunate that the Russian Federation saw fit to transmit to the Secretary-General a report under this resolution, given that it provides no evidence, or even a specific allegation, of a threat to the security of members of its diplomatic and consular missions, or of its Permanent Mission to the United Nations. Indeed, the focus of Russian's report is not on its accredited personnel at all, but rather on its property. As will be shown below, the actions that the United States has taken with respect to the Russian Federation and its properties in the United States are in conformity with the Vienna Conventions on Diplomatic and Consular Relations, and do not begin to approach legitimate concerns about the inviolability of mission premises and of accredited personnel.

The first incident about which Russia complains occurred in December 2016, when the United States informed the Russian Federation, on December 29, that the Russian recreational properties in Upper Brookville, New York, and Centreville, Maryland (Pioneer Point), were no longer authorized for use for diplomatic or consular purposes. In addition, the United States declared 35 Russian bilateral personnel to be persona non grata. The United States announced publicly that these actions were in response to Russia's interference in the U.S. election and, notably in the context of resolution 71/145, to well-documented incidents of harassment of United States diplomatic and consular personnel in Russia.

On 28 July 2017, the Russian Federation announced that it wanted "parity" in the United States-Russian bilateral relationship and demanded that, as of 1 September, the United States reduce the size of its diplomatic and consular presence in Russia to 455 personnel. The Russian Federation also announced that it would close a Moscow recreational property used by the United States Embassy and a U.S. Embassy warehouse in Moscow. This incident, and the other actions taken by Russia as described below, are not mentioned in Russia's report to the Secretary-General.

On 31 August 2017, the United States informed the Russian Federation that the United States had complied with the Russian requirement that the United States reduce the size of its diplomatic and consular presence in Russia. The United States further informed the Russian Federation that the United States Department of State was withdrawing its consent to the establishment of a consular post in San Francisco and its permission for diplomatic or consular use of properties in New York (consular annex) and Washington (Embassy annex).

Also, consistent with the withdrawal of consent for a Russian consulate in San Francisco, the Consulate General residential property was required to close. Russian consular staff in San Francisco were given one month to wind up their personal activities and depart from their residences. Personnel from the consulate were permitted to be reassigned to another bilateral diplomatic or consular mission in the United States. The Russian Trade Office, which functioned as part of the Embassy, from an annex moved to the main Russian Embassy location. The consular annex in New York City was leased space and reverted to the landlord, but the personnel were able to relocate to an existing Russian consular facility. To ensure safety and to secure the properties, the United States conducted walk-throughs of the various properties only after such inviolability as had existed had ended.

On 14 March 2018, after the use of a Soviet military-grade nerve agent in the United Kingdom against Sergei Skripal and Yulia Skripal, the United Kingdom ordered the expulsion of 23 Russian diplomats from the United Kingdom. On 26 March 2018, the United States announced that, effective 1 April 2018, the United States was withdrawing its consent for the operation of the Russian Consulate General in Seattle, and Russian operations there were required to cease. Beginning 25 April 2018, the Consul General's residential property was no longer authorized for use for consular purposes. The Consulate General office property was leased space and reverted to the landlord. Additionally, in response to Russian actions, the United States required the departure of 48 Russian accredited personnel from Russia's bilateral mission to the United States. Separately, pursuant to the provisions of the United Nations Headquarters Agreement, the United States required the departure of 12 accredited personnel from the Permanent Mission of Russia to the United Nations.

On 29 March 2018, the Russian Federation announced closure of the United States Consulate General in St. Petersburg, effective 31 March 2018. Russia also declared persona non grata a total of 60 United States accredited diplomatic and consular personnel in Russia effective April 5.

Throughout all of the actions that it has taken with respect to the Russian diplomatic mission to the United States, the Russian Federation's consular posts and its Permanent Mission to the United Nations, the United States has ensured the safety and security of all diplomatic or consular staff members, and their family members, who may have resided or worked in the affected property. First and foremost, in keeping with the purpose of resolution 71/145, the United States has acted with the utmost respect towards the physical safety of these individuals. The Russian Federation has offered no evidence to the contrary.

With respect to the Russian properties, the focus of Russia's report, the United States took custody of Russian property only after the expiration of a stated period during which the property continued to enjoy inviolability and the Russian Federation had an opportunity to remove archives, materials and personnel from the premises. There is no international law obligation to allow members of a diplomatic mission to reside in any particular property, and with regard to the two recreational properties ("dachas" at Pioneer Point, Maryland and Upper Brookville, New York), no diplomatic or consular mission has a right to a recreational property. With respect to the Upper Brookville property, Russia has provided no evidence that it ever notified the Permanent Mission of the United States or the United Nations Secretariat that it intended the property to be part of its diplomatic mission, as required under article 12 of the Vienna Convention on Diplomatic Relations. Accordingly, it never enjoyed inviolability under that Convention and the United Nations Headquarters Agreement.

None of the Russian-owned properties were "seized" by the United States. Those properties which were owned by the Russian Federation continue to be owned by the Russian Federation. In shutting down the consular properties and the Embassy and consular annexes, the United States did not, contrary to the Russian report, "raid" the properties, or engage in "forced entry". When requiring Russia to forego the use of these properties, the United States respected the inviolability of the property, if any, for such time frame as the inviolability existed. The United States did so by providing warning to the Russian Federation that the permitted diplomatic or consular or residential use would terminate, and that only upon termination of such permitted use would inviolability of the property cease. This meant that the Russian Federation was no longer allowed to use the property as a consulate, official residence or mission or consular annex. Once the period after notice of the withdrawal of consent had elapsed, the property no longer enjoyed inviolability because it was no longer diplomatic or consular premises or a residence entitled to such protection. As discussed above, the Russians took reciprocal actions against the United States.

When a leased property is no longer permitted to be used for diplomatic or consular purposes, the Department allows the property to revert to the control of the landlord, at which point the property is, of course, no longer inviolable. For example, the United States withdrew its consent for Russia to maintain a consulate in Seattle and provided a week for Russia to close its operations and vacate the premises. During that period, the consular premises retained their inviolability. After that period, the leased premises were returned to the landlord and ceased to enjoy any inviolability.

For these reasons, the United States strongly objects to the report of the Russian Federation, which does not raise serious concerns about the personal safety of the members of its diplomatic missions, consular posts, or its Permanent Mission to the United Nations, which is the focus of resolution 71/145, nor does it raise legitimate concerns about the inviolability of the premises of its Embassy, of its consular posts, or of its Permanent Mission to the United Nations. The United States accordingly requests that the Secretary-General reject the report of the Russian Federation in its entirety.

III. Views expressed by States pursuant to paragraph 12 of General Assembly resolution 71/145

21. **Lebanon** (28 April 2017) expressed the following views:

The Embassy Security Service protects embassies, diplomatic missions and related institutions by providing guard and escort services and by carrying out surveillance and information-gathering. Guard and escort duties are carried out by the Embassy Security Brigade of the above-mentioned Service, while surveillance and information-gathering is carried out by the Central Surveillance Brigade.

I. Embassy Security Brigade

The units of the Embassy Security Brigade constantly protect and guard approximately 130 embassies and diplomatic missions during official business hours in the daytime and at night. The Brigade also provides escort services to a number of ambassadors; some are escorted whenever they move about, while others are escorted on a temporary basis, in accordance with the requirements of the assignment. Such services are provided in coordination with the relevant

mission. Escort units are provided with reinforcements when necessary, such as when there is a threat or information is received. In addition, units are stationed on or patrol the perimeter of embassies on a regular or temporary basis, depending on the circumstances.

II. Central Surveillance Brigade

The Central Surveillance Brigade uses security patrols to gather information. The Brigade also carries out required surveillance, deploys units on ad hoc basis at the above-mentioned missions and provides support to guard units when necessary. It furthermore regularly passes by all diplomatic and consular missions and the residences of their staff in order to monitor their situation, prevent any act of terrorism that might compromise their security and intervene immediately in case of emergency. The Brigade, acting in coordination with the relevant security agencies, also monitors protests that take place in front of embassies.

When necessary, Brigade personnel use civilian vehicles to escort certain diplomats. It remains in constant contact with the relevant officials of the diplomatic missions, in order to remain abreast of any security information the missions might have and to utilize such information as rapidly as possible.

On an exceptional basis, the Brigade, acting in coordination with the relevant judicial authorities, questions suspicious persons who are observed near the perimeter of diplomatic missions and ambassadorial residences.

III.

On orders from the General Directorate, the Mobile Forces Unit helps the Embassy Security Service to shore up security and protection at certain diplomatic missions whenever the Service receives information that an embassy might be threatened or attacked.

IV.

The General Directorate of Internal Security Forces receives the majority of sensitive security information from specialized security sources. No embassies or diplomatic missions, or their related institutions, have been subject to any type of attack recently.

V.

In order to ensure the smoothness of operations, the relevant agencies coordinate their efforts through the operations room maintained by the Embassy Security Service. Operations room staff are in direct contact around the clock with the chiefs and staff members of the above-mentioned agencies.

VI.

The Embassy Security Service will be strengthened through increased staffing, so that it can take the measures necessary to protect diplomatic missions.

22. **Bahrain** (25 April 2018) expressed the following views:

The relevant authorities in the Kingdom of Bahrain place this issue at the top of their priorities and scrupulously observe, implement and enforce all the applicable principles and rules of international law governing diplomatic and consular relations.

In this respect, the authorities monitor, around the clock, the situation of diplomatic and consular missions and residences and undertake periodic surveys

to ascertain the suitability of security measures aimed at protecting the said premises. No notable incident affecting the security and safety of these missions or their personnel has taken place in the territory of the Kingdom of Bahrain.

23. **Finland** (9 May 2018) expressed the following views:

The Finnish authorities wish to assure the Secretary-General that they take very seriously their duty to take all appropriate action to protect the premises of diplomatic missions against any intrusion or damage and to prevent any attack on the person of the staff members of the missions. Finland also wishes to emphasize the importance of cooperation on security matters not only at the international level, but also at the national level, between the missions and the competent local authorities.

24. **Qatar** (15 May 2018) further reported that no violations involving the security and safety of missions had occurred, and expressed the following views:

Measures taken to enhance the security and safety of diplomatic and consular missions reflect the scrupulous attention devoted by Qatar to ensuring the security and safety of the premises, personnel and events of diplomatic and consular missions and preventing the commission of any acts of violence against them. Preventive security measures include the posting of permanent guards, security patrols and direct around-the-clock coordination with security officials at those locations through a diplomatic liaison officer.

We would like to point out that Qatar has been and remains scrupulous about complying with, implementing and enforcing all the principles of international law governing diplomatic and consular relations, both customary and codified. Qatar has been a party to the 1961 Vienna Convention on Diplomatic Relations since 1986 and a party to the 1963 Vienna Convention on Consular Relations since 1998. In 1997, Qatar acceded to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

25. **Belgium** (18 May 2018) expressed the following views on the measures needed or already taken to enhance the protection, security and safety of missions and representatives:

A. General measures

Security arrangements for diplomatic missions are based on the threat analysis conducted by the Coordinating Body for Threat Analysis. It determines a threat level for every diplomatic mission established on Belgian soil. Based on the threat level, the Crisis Centre of FPS (Internal Affairs) requires the police to make specific security arrangements appropriate for each mission. A monthly meeting with the participation of the Protocol Directorate of FPS (Foreign Affairs) is held at the Crisis Centre to provide overall monitoring of security arrangements for the various diplomatic missions present in Belgium.

B. Specific measures

Diplomatic missions which have a security problem contact the Protocol Directorate of FPS (Foreign Affairs). Each specific problem is then brought to the attention of the competent security service by the Protocol Directorate and receives an appropriate response.

26. **Sudan** (31 May 2018) expressed the following views:

1. The Police Force Command protects public facilities in accordance with the responsibilities set forth in articles 12 and 16 of the Sudan Police Force Act (2008).

2. The Ministry of the Interior has issued a regulation concerning the policing of diplomatic missions. The regulation establishes a Police Department for the Protection of Diplomatic Missions, Organizations and Entities. The Department protects the headquarters of diplomatic missions, organizations and entities, in addition to official events and activities organized by diplomatic missions. It responds to any security threats to such missions and the movement of their members, and families thereof, within and beyond Khartoum State. In so doing, it complies with the Respect for Diplomatic Privileges and Immunities Act (1956).

3. Accordingly, Sudanese legislation codifies the effective measures set out in international conventions concerning the protection and safety of diplomatic missions and their staff. Relevant laws include the Diplomatic Privileges and Immunities Act (1956), the Sudan Police Force Act (2008) and the Police Department for the Protection of Diplomatic Missions Regulation (2004).

4. The Police Department for the Protection of Diplomatic Missions takes the necessary steps to protect the safety and security of diplomatic and consular missions. It continuously briefs its members in order to increase their security awareness.

5. The Sudan acceded to the 1961 Vienna Convention on Diplomatic Relations on 13 April 1961 and to the 1963 Vienna Convention on Consular Relations on 23 March 1995.

IV. Status of participation in international conventions pertaining to the protection, security and safety of diplomatic and consular missions and representatives as at 18 June 2018

27. Each instrument listed below is represented in tables 1 and 2 by the letter shown on the left in the list.

A. Vienna Convention on Diplomatic Relations of 1961 (signed at Vienna on 18 April 1961; entered into force on 24 April 1964, in accordance with article 51);

B. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning Acquisition of Nationality of 1961 (signed at Vienna on 18 April 1961; entered into force on 24 April 1964, in accordance with article VI);

C. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Compulsory Settlement of Disputes of 1961 (signed at Vienna on 18 April 1961; entered into force on 24 April 1964, in accordance with article VIII);

D. Vienna Convention on Consular Relations of 1963 (signed at Vienna on 24 April 1963; entered into force on 19 March 1967, in accordance with article 77);

E. Optional Protocol to the Vienna Convention on Consular Relations concerning Acquisition of Nationality of 1963 (signed at Vienna on 24 April 1963; entered into force on 19 March 1967, in accordance with article VI);

F. Optional Protocol to the Vienna Convention on Consular Relations concerning the Compulsory Settlement of Disputes of 1963 (signed at

Vienna on 24 April 1963; entered into force on 19 March 1967, in accordance with article VIII);

G. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 1973 (adopted by the General Assembly on 14 December 1973; entered into force on 20 February 1977, in accordance with article 17).

Table 1
Total participation in international conventions pertaining to the protection, security and safety of diplomatic and consular missions and representatives

Signature, succession to signature						
A	B	C	D	E	F	G
60	18	29	48	19	38	25

Ratification, accession or succession						
A	B	C	D	E	F	G
191	51	71	179	41	51	180

Table 2
Status of participation in international conventions pertaining to the protection, security and safety of diplomatic and consular missions and representatives

	Signature, succession to signature							*Ratification, accession or succession*						
State	*A*	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Afghanistan								A						G
Albania	A							A			D			G
Algeria								A			D			G
Andorra								A			D			G
Angola								A			D			
Antigua and Barbuda								A			D			G
Argentina	A	B		D		F		A	B		D			G
Armenia								A			D			G
Australia	A			D			G	A		C	D		F	G
Austria	A		C	D		F		A		C	D		F	G
Azerbaijan								A			D			G
Bahamas								A		C	D			G
Bahrain								A			D			G
Bangladesh								A			D			G
Barbados								A			D			G
Belarus	A						G	A			D			G
Belgium	A		C	D		F		A	B	C	D	E	F	G
Belize								A			D			G
Benin				D		F		A			D			G
Bhutan								A			D			G
Bolivia (Plurinational State of)				D				A			D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Bosnia and Herzegovina					E	F		A	B	C	D			G
Botswana								A	B	C	D	E	F	G
Brazil	A			D	E			A			D			G
Brunei Darussalam								A			D			G
Bulgaria	A						G	A		C	D	E	F	G
Burkina Faso				D		F		A			D		F	G
Burundi								A						G
Cabo Verde								A			D			G
Cambodia								A	B	C	D			G
Cameroon				D	E	F		A			D			G
Canada	A						G	A			D			G
Central African Republic	A	B	C	D		F		A	B	C				G
Chad								A						
Chile	A			D		F		A			D			G
China								A			D			G
Colombia	A		C	D	E	F		A			D			G
Comoros								A						G
Congo				D	E	F		A						
Cook Islands														
Costa Rica	A			D				A		C	D			G
Côte d'Ivoire				D		F		A						G
Croatia								A			D			G
Cuba	A			D				A			D			G
Cyprus								A			D			G
Czechia								A			D			G
Democratic People's Republic of Korea								A			D			G
Democratic Republic of the Congo	A			D	E	F		A	B	C	D			G
Denmark	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Djibouti								A			D			G
Dominica								A		C	D			G
Dominican Republic	A	B	C	D	E	F		A	B	C	D	E	F	G
Ecuador	A		C	D			G	A		C	D			G
Egypt								A	B		D	E		G
El Salvador								A			D			G
Equatorial Guinea								A		C	D			G
Eritrea								A			D			
Estonia								A	B	C	D	E	F	G
Eswatini								A						G
Ethiopia								A						G
Fiji								A		C	D			G
Finland	A	B	C	D	E	F	G	A	B	C	D	E	F	G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
France	A		C	D		F		A		C	D		F	G
Gabon				D		F		A	B	C	D	E	F	G
Gambia								A			D			
Georgia								A			D			G
Germany	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Ghana	A	B	C	D	E	F		A			D	E		G
Greece	A							A			D			G
Grenada								A			D			G
Guatemala	A						G	A			D			G
Guinea								A	B	C	D			G
Guinea-Bissau								A						G
Guyana								A			D			G
Haiti								A			D			G
Holy See	A			D				A			D			G
Honduras								A			D			G
Hungary	A						G	A		C	D		F	G
Iceland							G	A	B	C	D	E	F	G
India								A	B	C	D	E	F	G
Indonesia								A	B		D	E		
Iran (Islamic Republic of)	A	B	C	D				A	B	C	D	E	F	G
Iraq	A	B	C					A	B	C	D	E		G
Ireland	A		C	D		F		A			D			G
Israel	A		C	D				A						G
Italy	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Jamaica								A			D			G
Japan	A		C					A		C	D		F	G
Jordan								A			D			G
Kazakhstan								A			D			G
Kenya								A	B	C	D	E	F	G
Kiribati								A			D			G
Kuwait				D	E	F		A		C	D			G
Kyrgyzstan								A			D			G
Lao People's Democratic Republic								A	B	C	D	E	F	G
Latvia								A			D			G
Lebanon	A	B	C	D		F		A			D			G
Lesotho								A			D			G
Liberia	A			D	E	F		A	B	C	D			G
Libya								A	B		D			G
Liechtenstein	A		C	D		F		A		C	D		F	G
Lithuania								A		C	D		F	G
Luxembourg	A		C	D		F		A		C	D		F	G
Madagascar								A	B	C	D	E	F	G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Malawi								A	B	C	D	E	F	G
Malaysia								A	B	C	D			G
Maldives								A			D			G
Mali								A			D			G
Malta								A		C	D			G
Marshall Islands								A			D			G
Mauritania								A			D			G
Mauritius								A		C	D		F	G
Mexico	A			D				A			D		F	G
Micronesia (Federated States of)								A			D			G
Monaco								A			D			G
Mongolia							G	A			D			G
Montenegro					E	F		A	B	C	D			G
Morocco								A	B		D	E		G
Mozambique								A			D			G
Myanmar								A	B		D			G
Namibia								A			D			G
Nauru								A		C	D	E		G
Nepal								A	B	C	D	E	F	G
Netherlands								A	B	C	D	E	F	G
New Zealand	A		C					A	B	C	D	E	F	G
Nicaragua							G	A	B	C	D	E	F	G
Niger				D		F		A	B	C	D	E	F	G
Nigeria	A							A			D			G
Niue														G
Norway	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Oman								A	B	C	D	E	F	G
Pakistan	A							A		C	D		F	G
Palau														G
Panama	A			D	E	F		A	B	C	D	E	F	G
Papua New Guinea								A			D			G
Paraguay							G	A	B	C	D	E	F	G
Peru				D		F		A			D		F	G
Philippines	A	B	C	D		F		A	B	C	D	E	F	G
Poland	A			D			G	A			D			G
Portugal								A			D			G
Qatar								A			D			G
Republic of Korea	A	B	C					A	B	C	D	E	F	G
Republic of Moldova								A			D			G
Romania	A						G	A		C	D		F	G
Russian Federation	A						G	A			D			G
Rwanda							G	A			D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
Saint Kitts and Nevis								A			D			G
Saint Lucia								A			D			G
Saint Vincent and the Grenadines								A			D			G
Samoa								A			D			
San Marino	A							A						G
Sao Tome and Principe								A			D			G
Saudi Arabia								A			D			G
Senegal	A	B						A			D	E	F	G
Serbia					E	F		A	B	C	D			G
Seychelles								A		C	D		F	G
Sierra Leone								A			D			G
Singapore								A			D			G
Slovakia								A		C	D		F	G
Slovenia								A		C	D			G
Solomon Islands														
Somalia								A			D			
South Africa	A							A			D			G
South Sudan														
Spain								A		C	D		F	G
Sri Lanka	A							A	B	C	D			G
State of Palestine								A		C	D			G
Sudan								A			D			G
Suriname								A	B	C	D	E	F	
Sweden	A	B	C	D	E	F	G	A	B	C	D	E	F	G
Switzerland	A		C	D		F		A	B	C	D	E	F	G
Syrian Arab Republic								A			D			G
Tajikistan								A			D			G
Thailand	A	B						A	B		D	E		G
The former Yugoslav Republic of Macedonia								A	B	C	D			G
Timor-Leste								A			D			
Togo								A			D			G
Tonga								A			D			G
Trinidad and Tobago								A			D			G
Tunisia							G	A	B		D	E		G
Turkey								A			D			G
Turkmenistan								A			D			G
Tuvalu								A			D			
Uganda								A						G
Ukraine	A						G	A			D			G
United Arab Emirates								A			D			G

State	Signature, succession to signature							Ratification, accession or succession						
	A	*B*	*C*	*D*	*E*	*F*	*G*	*A*	*B*	*C*	*D*	*E*	*F*	*G*
United Kingdom of Great Britain and Northern Ireland	A		C	D		F	G	A		C	D		F	G
United Republic of Tanzania	A	B	C					A	B	C	D			
United States of America	A		C	D			G	A		C	D			G
Uruguay	A			D		F		A			D			G
Uzbekistan								A			D			G
Vanuatu											D			
Venezuela (Bolivarian Republic of)	A			D				A			D			G
Viet Nam								A			D	E	F	G
Yemen								A			D			G
Zambia								A			D			G
Zimbabwe								A			D			